

MICHAEL C. VAN, ESQ.  
Nevada Bar No. 3876  
GARRETT R. CHASE, ESQ.  
Nevada Bar No. 14498  
**VC2 LAW**  
8985 S. Eastern Ave., Suite 100  
Las Vegas, Nevada 89123  
Telephone: (702) 478-7770  
Facsimile: (702) 478-7779  
Email: michael@vc2law.com  
garrett@vc2law.com

*Attorneys and Local Counsel for Plaintiffs*

FARHAD NOVIAN (California Bar No. 118129; admitted pro hac vice)  
farhad@novianlaw.com  
ANDREW B. GOODMAN (California Bar No. 267972; admitted pro hac vice)  
agoodman@novianlaw.com  
ALEXANDER B. GURA (California Bar No. 305096; admitted pro hac vice)  
gura@novianlaw.com  
**NOVIAN & NOVIAN, LLP**  
1801 Century Park East, Suite 1201  
Los Angeles, CA 90067  
Telephone: (310) 553-1222  
Facsimile: (310) 553-0222

*Attorneys for Plaintiffs*

**UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF NEVADA**

MARIA TSATAS, an individual; LEONIDAS VALKANAS, as trustee of the KEET TRUST dated August 1, 2015; RAYMOND BARAZ, an individual; PASCAL ABDALLAH, an individual; JIMMY TSOUTSOURAS, an individual; FOTINI VENETIS, an individual; NICHOLAS TSOUTSOURAS, an individual; CONNIE TSOUTSOURAS, an individual; RAYMONDE KANHA, an individual; ALFRED BEKHIT, an individual; JACQUEZ ELBAZ, an individual; MARTINE BENEZRA, an individual; JAMES P. CARROLL, an individual; DAVID CHIN, an individual; JENNIFER MILLS, an individual; PAUL SUBLETT, an individual; ANDREW SUBLETT, an individual; MANOLIS KOSTAKIS, an individual; ESTHER GEORGAKOPOULOS, an individual; EVAGELIA KOSTAKIS, an individual;

CASE NO.: 2:20-cv-2045-RFB-BNW

**STIPULATED REQUEST FOR  
EXTENSION OF DISCOVERY  
DEADLINES BY APPROXIMATELY 21  
DAYS**

**(Eighth Request)**

VC2 LAW  
8985 South Eastern Avenue, Suite 100  
Las Vegas, Nevada 89123  
Tel: (702) 478-7770 o Fax: (702) 478-7779

DENIS PARSONS, an individual; SOFIA KARDARAS, an individual; JIMMY ASMAKLIS, an individual; CORRADINO GALUPPO, an individual; DENIS KOPITAS, an individual; TERRY TSATAS, an individual; GEORGE TSATAS, an individual; PANAGIOTA TSATAS, an individual; OURANIA TSATAS, an individual; KIRIAKOS PRIMBAS, an individual; EVANTHIA PRIMBAS, an individual; PATRICK AYOUB, an individual; MICHAEL BESCEC, an individual; ERNEST LEBOEUF, an individual; PHILIPPE LEGAULT, an individual; EFTIHIOS LITSAKIS, an individual; GIOVANNI MONCADA, an individual; MARC RIEL, an individual; JARADEH SALIM, an individual; HANI HAMAM, an individual; CONSTANTIN ZISSIS, an individual; BESSIE PEPPAS, an individual; NIKI PALIOVRAKAS, an individual,

Plaintiffs,

v.

AIRBORNE WIRELESS NETWORK, INC., a Nevada Corporation; MICHAEL J. WARREN, an individual; J. EDWARD DANIELS, an individual; MARIUS DE MOS, an individual; JASON DE MOS, an individual; ROBERT BRUCE HARRIS, an individual; KELLY KABILAFKAS, an individual; and APCENTIVE, INC., a Nevada Corporation,

Defendants.

**STIPULATED REQUEST FOR EXTENSION OF DISCOVERY DEADLINES**

Plaintiffs (as listed in the above caption) and Defendants (as listed in the above caption) (together, the “Parties”), by and through their undersigned counsel of record, submit this Stipulated Request for Extension of Discovery Deadlines by Approximately 21 days, pursuant to FRCP 6(b) and 16(b), as well as LR 26-3 and LR IA 6-1.

WHEREAS, this is the Parties’ eighth request for an extension of discovery deadlines.

WHEREAS, on June 16, 2023, the Court granted Plaintiffs’ most recent (unopposed) request for an extension of the scheduling order (ECF No. 210), such that the following cutoff dates currently apply:

Discovery Cut-Off – September 30, 2023

Expert Disclosures – July 31, 2023

Rebuttal Expert Disclosures – August 31, 2023

Dispositive Motions – October 31, 2023

Proposed Joint Pretrial Order – November 30, 2023, or 30 days after the final dispositive motion is ruled upon.

WHEREAS, pursuant to LR 26-3, the Parties agree on the following:

(a) **Statement of discovery completed:** The Parties incorporate by reference the statement of discovery completed, as set forth in Plaintiffs’ June 9, 2023 (ultimately unopposed) Motion to Modify Scheduling Order. ECF No. 207 at p. 8:10-19 (referencing ECF No. 204 at p. 3:17—4:19, which also referenced ECF No. 182 at pp. 14:21—19:22). Since June 9, 2023, the following additional discovery has been completed:

- Depositions of Defendants:
  - J. Edward Daniels: July 5, 2023.
  - Kelly Kabilafkas: July 7, 2023.
- Depositions of Plaintiffs:
  - Raymonde Kanha (June 16, 2023)
  - Alfred Bekhit (June 16, 2023)

○ Martine Benezra (June 26, 2023)

- Additional third-party subpoenas:

○ Wells Fargo (July 10, 2023 – with documents received July 21, 2023)

○ Follow-up subpoena to Wells Fargo (July 21, 2023 – with documents expected July 28, 2023)

(b) **Discovery that remains to be completed:** The discovery that remains to be completed includes the following primary items (without prejudice to additional items that may arise as discovery continues):

- Depositions of remaining plaintiffs:

○ James P. Carroll

○ David Chin (scheduled for July 27, 2023)

○ Evagelia Kostakis (scheduled for July 28, 2023)

○ Denis Parsons (scheduled for July 28, 2023)

○ Sofia Kardaras

○ Jimmy Asmaklis

○ Corradino Galuppo

○ Michael Bescec

○ Ernest Leboeuf

○ Phillippe Legault

○ Eftihios Listakis

○ Giovanni Moncada

○ Marc Riel

○ Jaradeh Salim

○ Hani Hamam

○ Constantin Zissis

- Follow-up third-party discovery:

○ Follow-up subpoena to Wells Fargo (documents expected

July 28, 2023).

- Expert disclosures.
- Expert depositions.

**(c) Reasons why deadline not satisfied or remaining discovery not completed:**

Plaintiffs have made diligent efforts to pursue the discovery they need to meaningfully prepare expert disclosures. Since the last extension on June 16, 2023 (ECF No. 210), Plaintiffs have completed the remaining party depositions of J. Edward Daniels (July 5, 2023) and Kelly Kabilafkas (July 7, 2023). Without waiving the work product privilege, in the process of preparing expert disclosures, Plaintiffs realized the need for an additional subpoena to Wells Fargo. As soon as Plaintiffs realized this need, they subpoenaed Wells Fargo on July 10, 2023 and received documents on July 21, 2023. Plaintiffs promptly reviewed the documents received from Wells Fargo on July 21, 2023 and realized the need for a brief follow-up subpoena. Plaintiffs immediately prepared and served a follow-up subpoena to Wells Fargo that same day and requested documents by July 28, 2023. Wells Fargo has been very responsive and Plaintiffs have no reason to doubt that they will receive additional documents on July 28, 2023. Nonetheless, Plaintiffs anticipate that it will take additional time to review, analyze, and fully incorporate the records from both the July 10, 2023 Wells Fargo subpoena and the July 21, 2023 follow-up subpoena into the expert disclosures. Although Plaintiffs have made significant progress on their expert disclosures, and have devoted significant time and resources to analyzing SEC filings, deposition transcripts, and nearly a hundred thousand pages of documents (from Defendants and third-party subpoenas), they do not anticipate being able to complete expert disclosures by July 31, 2023, the current deadline.

**(d) Proposed schedule for completing all remaining discovery:** In light of the above, and for good cause showing, the Parties propose the following schedule

for completing all remaining discovery:

- Discovery Cut-Off – October 20, 2023
- Expert Disclosures – August 21, 2023
- Rebuttal Expert Disclosures – September 21, 2023
- Dispositive Motions – November 21, 2023
- Proposed Joint Pretrial Order – December 21, 2023, or 30 days after the final dispositive motion is ruled upon.

WHEREAS, the Parties do not dispute that both sides have acted diligently since the last request for an extension, and good cause supports an extension of approximately 21 days to each remaining cutoff date,

THEREFORE, IT IS HEREBY STIPULATED AND AGREED between the Parties, by and through their respective attorneys of record, that the below-listed proposed schedule should govern this case, without prejudice to requests for further extensions for good cause:

Discovery Cut-Off – October 20, 2023

Expert Disclosures – August 21, 2023

Rebuttal Expert Disclosures – September 21, 2023

Dispositive Motions – November 21, 2023

Proposed Joint Pretrial Order – December 21, 2023, or 30 days after the final dispositive motion is ruled upon.

**IT IS SO STIPULATED.**

DATED: July 25, 2023

Respectfully submitted.

VC2 LAW  
NOVIAN & NOVIAN, LLP

By: /s/ Andrew B. Goodman  
MICHAEL C. VAN, ESQ. #3876  
GARRETT R. CHASE, ESQ. #14498

VC2 LAW  
8985 South Eastern Avenue, Suite 100  
Las Vegas, Nevada 89123  
Tel: (702) 478-7770 o Fax: (702) 478-7779

8985 S. Eastern Ave., Suite 100  
Las Vegas, Nevada 89123

FARHAD NOVIAN, ESQ. (CA Bar No. 118129)  
ANDREW B. GOODMAN, ESQ. (CA Bar No.  
267972)  
ALEXANDER BRENDON GURA, ESQ. (CA Bar  
No. 305096)  
1801 Century Park East, Suite 1201  
Los Angeles, CA 90067  
*Attorneys for Plaintiffs*

DATED: July 25, 2023

Respectfully submitted.

GREENSPOON MARDER LLP  
THE MALONEY FIRM, APC

By: /s/ Gregory M. Smith (electronically signed with  
permission to Andrew B. Goodman)  
PHILLIP SILVESTRI, ESQ. #11276  
3993 Howard Hughes Parkway, Suite 400  
Las Vegas, Nevada 89169

PATRICK M. MALONEY, ESQ. (CA Bar No.  
197844)  
GREGORY M. SMITH, ESQ. (CA Bar No. 259971)  
BETZY Y. BRAS-GONZALEZ (CA Bar No.  
328716)  
*Attorneys for Defendants*

IT IS SO ORDERED:

  
UNITED STATES MAGISTRATE JUDGE

DATED: July 26, 2023